UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAY BRODSKY

Write the full name of each plaintiff.

CV17 5528
(Include case number if one has been assigned)

-against-

COMPLAINT

Do you want a jury trial?
☑ Yes ☐ No

SEYBERT, J.

SHIELDS, M.J.

EQUIFAX INC.

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ SEP 20 2017 ★
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I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than $75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

☐ **Federal Question**

☑ **Diversity of Citizenship**

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?
28 U.S.C. 1332

____

____

____

____

B. If you checked Diversity of Citizenship

1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, JAY BRODSKY, is a citizen of the State of
(Plaintiff's name)

NEW YORK
(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

____.

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, ______________________________, is a citizen of the State of
(Defendant's name)

____

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

______________________________.

If the defendant is a corporation:

The defendant, EQUIFAX INC., is incorporated under the laws of the State of DELEWARE

and has its principal place of business in the State of GEORGIA

or is incorporated under the laws of (foreign state) ______________________________

and has its principal place of business in ______________________________.

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

JAY B BRODSKY
First Name Middle Initial Last Name

1585 ROUND SWAMP ROAD
Street Address

PLAINVIEW NY 11803
County, City State Zip Code

(973) 568-1666
Telephone Number

demcointerexport@yahoo.com
Email Address (if available)

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1: EQUIFAX INC.

First Name Last Name

C/O REGISTERED AGENT THE PRENTICE HALL CORP SYSTEM INC

Current Job Title (or other identifying information)

251 LITTLE FALLS DRIVE

Current Work Address (or other address where defendant may be served)

WILMINGTON DE 19808

County, City State Zip Code

Defendant 2: EQUIFAX INFORMATION SERVICES LLC

First Name Last Name

C/O REGISTERED AGENT THE PRENTICE HALL CORP SYSTEM INC

Current Job Title (or other identifying information)

251 LITTLE FALLS DRIVE

Current Work Address (or other address where defendant may be served)

WILMINGTON DE 19808

County, City State Zip Code

Defendant 3: EQUIFAX CONSUMER SERVICES LLC

First Name Last Name

C/O REGISTERED AGENT THE PRENTICE HALL CORP SYSTEM INC

Current Job Title (or other identifying information)

251 LITTLE FALLS DRIVE

Current Work Address (or other address where defendant may be served)

WILMINGTON DE 19808

County, City State Zip Code

Defendant 4: EQUIFAX PERSONAL SOLUTIONS AKA PSOL

First Name Last Name

C/O REGISTERED AGENT THE PRENTICE HALL CORP SYSTEM INC

Current Job Title (or other identifying information)

251 LITTLE FALLS DRIVE

Current Work Address (or other address where defendant may be served)

WILMINGTON	DE	19808
County, City	State	Zip Code

III. STATEMENT OF CLAIM

Place(s) of occurrence: GEORGIA

Date(s) of occurrence: MARCH 2017

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

SEE ATTACHED ADDENDUM

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

SEVENTY BILLION DOLLAR DATA BREACH. PERSONAL INFORMATION INCLUDING SOCIAL SECURITY NUMBERS, DATES OF BIRTH, DRIVERS LICENSE NUMBERS, HOME ADDRESSES PAST & PRESENT, CREDIT CARD INFORMATION NEGLIGENCE

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

JUDGEMENT AGAINST EQUIFAX INC.
PRESERVATION OF ALL DOCUMENTS AND INFORMATION IN THIS CASE
OTHER RELIEF DEEMED APPROPRIATE BY THE COURT

V. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

SEPTEMBER 19, 2017

Dated | Plaintiff's Signature

JAY | B | BRODSKY

First Name | Middle Initial | Last Name

1585 ROUND SWAMP ROAD

Street Address

PLAINVIEW | NY | 11803

County, City | State | Zip Code

(973) 568-1666 | demcointerexport@yahoo.com

Telephone Number | Email Address (if available)

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:
☑ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

____x

JAY BRODSKY **PETITIONER**

against

EQUIFAX INC. **RESPONDENT**

____ x

CASE No._____________________________x

ALLEGATION COMPLAINT

NEGLIGENCE

28 U.S.C. § 1332

DEMAND FOR JURY TRIAL

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

____ x

ADDENDUM

The addendum affirming said complaint of the Petitioner, Jay Brodsky respectfully shows and alleges as follows:

(1.) On this 19th day of September in the year 2017, *Jay Brodsky, To Wit, Petitioner* resides at *1585 Round Swamp Road, Plainview, New York 11803*. *Petitioner* duly deposes that the facts as stated herein are true to the best of his knowledge;

THE PARTIES

(2.)[a.] The *Respondent* herein, *Equifax Inc*. has its principal place of business in **Georgia** and receives mail at *P.O. Box 740241, Atlanta, GA 30374*. Said *Respondent* is engaged in the business of providing credit information to millions consumers, businesses and government agencies worldwide; In addition to *Equifax*

Inc., there are several other subsidiaries who engage in similar credit reporting activities all under the same roof. These subsidiaries are *Equifax Information Services LLC.*, *Equifax Consumer Services LLC.* and *Equifax Personal Solutions aka PSOL.* Each of these aforementioned entities interact with each other in concert.

(2.)[b.] *Petitioner Jay Brodsky* resides in **New York State** and by no choice of his own is an individual consumer of the Equifax Companies services.

JURISDICTIONAL VENUE

(3.) *The United States District Court for the Southern District of New York* has jurisdiction under *28 U.S.C. § 1332* by virtue of the facts that ***Jay Brodsky Petitioner*** resides in ***New York State*** and that ***Equifax Inc.*** *Respondent* have their main offices in the ***State of Georgia***. The amount of liability exceeds **(70)** ***Seventy Billion Dollars*** not including penalties and interest. In addition said *Petitioner* is seeking compensatory and punitive damages both in excess of **$75,001.00**.

GENERAL ALLEGATIONS AFFIRMING PETITIONERS COMPLAINT

(4.) *Inter Alia*, During the prior **(2)** Two Years *Equifax Inc.* and their subsidiaries have collected, stored and disseminated *Petitioners* credit information to well specified individuals and businesses. With no malefaction by *Petitioner, Equifax Inc.* has stored, collected and disseminated *Petitioners* critically sensitive information such as Social Security Numbers, Date of Birth, Drivers License Numbers, Home addresses *(Past and Present)* and Numerous Credit Card Numbers and related information contained within.

(5.) *Equifax Inc.* and their subsidiaries had a legal obligation to **insulate**, **keep**, **look after**, **maintain**, **preserve**, **safeguard**, **secure**, **shelter**, **shepherd**, **shroud**, **sustain**, **take care of**, **treasure**, **tutari**, **veil**, **ward**, **watch over** all trusted information they had/have sequestered in their care from being purloined by unauthorized third parties. This is a legal obligation that should be paramount to *Equifax Inc.* due to the sensitive nature and the serious repercussions that may result from neglect. However instead of allocating adequate funds to insure the safeguard of said information with technological innovation, they instead thought it would be best to self ingratiate themselves and their shareholders *ab initio*.

(6.) *Equifax Inc.* negligently failed to secure consumers private information which resulted in a massive data breach due to cyber attack. Because Respondent allowed this to happen *Petitioner* will need the services of a private credit monitoring service to prevent further harm from arising now and in the future. *Petitioner* and other consumers now bear the burden of employing such services at their own expense. *Petitioner* will need to bear this burden in perpetuity? Had *Equifax Inc.* taken their responsibility to safeguard *Petitioner's* sensitive credit information from intrusion to heart there would be no added expenses.

(7.) Hopefully *Equifax Inc.* and other credit reporting agencies will learn a good lesson from *Petitioner's* complaint by taking whatever steps are necessary to safeguard consumers valuable credit information from future data breaches.

(8.) *Petitioner Jay Brodsky* are seeking equitable relief from *Equifax Inc.* and their subsidiaries for multiple negligent actions. Facts and law will determine whether *Petitioners* are entitled to recover money damages in response to Respondents willful neglect of trust.

(9.) That *Equifax Inc.* had good knowledge that a massive data breach had befallen them in *March of 2017*. Without conscience *Equifax* reported the breach in July of 2017 some Four **(4)** months after the breach was effectuated.

CLAIM ONE (1)

NEGLIGENCE

(10.)a. As alleged in this complaint, *Equifax Inc.* is/was responsible for the care of consumers personal credit information but instead *Respondent* encroached on their responsibilities and legal duties to preserve the sanctity and secret nature of said data. By not employing all the latest technological safeguards and falling far below the prescribed amount of care needed to prevent breaches such as have already occurred, risks such as identity theft, risk of data being illegally disseminated and unforeseen economic losses to consumers such as this *Petitioner* may suffer.

(10.)b. *Petitioner* is entitled to equitable relief in the form of an accounting of exactly how their credit and personal information was accessed with no permission by unknown third parties, restitution, punitive damages and an order preserving all documents and information contained herein.

(11.) Demand for jury trial.

Relief Sought

(12.) [a.] Preservation of all information and documents in this case

[b.] Judgement against *Equifax Inc.* and all subsidiaries in an amount to be decided by jury.

[c.] Other relief deemed appropriate by the court.

September 19, 2017

By Jay Brodsky, Pro Se

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